

Illinois Department of Healthcare and Family Services
SMART Act Implementation Report
to the Office of the Auditor General
August 1, 2012

This report is submitted in compliance with Section 2-20(a) of the State Auditing Act. In the listing that follows, HFS has identified the provisions of the Saving Medicaid Access and Resources Together Act that require state rule or federal approval for implementation.

Item Name	SMART Citations	Rules Required to Implement SMART Act	Federal Action Required to Implement SMART Act
Family Care adults	305 ILCS 5/5-2(15), 215 ILCS 106/40, 305 ILCS 5/12-4.38	Rule	SPA
General Assistance Adults	305 ILCS 5/6-11	Rule (HFS), Rule (DHS)	N/A
Illinois Cares Rx	320 ILCS 25/1.5 et seq.	Rule	N/A
Long-term care asset testing		Rule listed below	SPA listed below
a. Farmland property exemption	305 ILCS 5/3-1.2	Rule	N/A
b. Prepaid funeral/burial contract exemptions	305 ILCS 5/3-1.2	Rule	N/A
c. Pooled Trust Exemption for persons with disabilities	305 ILCS 5/3-1.2	Rule	TBD
d. Homestead equity exemption	305 ILCS 5/3-1.2	Rule	SPA
e. Homestead property transferred to trust exemption	305 ILCS 5/3-1.2	Rule	TBD
f. Spousal refusal	305 ILCS 5/5-4(a)	Rule	N/A
g. Community spouse income and resource allowance	305 ILCS 5/5-4(a)	Rule	SPA
h. Spousal support enforcement	305 ILCS 5/5-4(b)	Rule	N/A
i. Retroactive eligibility	305 ILCS 5/5-2.1d	Rule	N/A
Adult dental	305 ILCS 5/5-5f(b)(v)	Rule	SPA
Adult chiropractic	305 ILCS 5/5-5f(f)	Rule	SPA
Adult podiatry	305 ILCS 5/5-5f(b)(iii)	Rule	SPA
Adult eyeglasses	305 ILCS 5/5-5f(b)(i)	Rule	SPA
Group psychotherapy for NH residents (and related transportation)	305 ILCS 5/5-5f(a)	Rule	N/A
Adult speech, hearing and language therapy services	305 ILCS 5/5-5f(b)(ii)	Rule	SPA
Adult occupational therapy services	305 ILCS 5/5-5f(b)(ii)	Rule	N/A
Adult physical therapy services	305 ILCS 5/5-5f(b)(ii)	Rule	N/A
Hospice	305 ILCS 5/5-5f(e)	Rule	N/A

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Home health	305 ILCS 5/5-5f(f)	Rule	SPA
Adult detox services in hospitals	305 ILCS 5/5-5f(b)(vi)	Rule	SPA
Baby deliveries-caesarian section	305 ILCS 5/5-5f(b)(iv)	Rule	N/A
Hospitals: potentially preventable readmissions	305 ILCS 5/5-5f(d)	Rule	SPA
Hospitals: preventable conditions (never events)	305 ILCS 5/5-5f(h)	Rule	SPA
Bariatric (weight loss) surgery	305 ILCS 5/5-5f (c)	Rule	N/A
Coronary artery by-pass grafts	305 ILCS 5/5-5f (c)	Rule	N/A
Change minimum Determination of Need (DON) score from 29 to 37	305 ILCS 5/5-5	Rule (IHFS), Rule (IDHS), Rule (IDoA)	TBD
Non emergency ambulance services transportation	305 ILCS 5/5-4.2(f), 305 ILCS 5/5-4.2(g)	Rule	N/A
Pharmaceuticals prescriptions in Long Term Care settings	305 ILCS 5/5-5.12 (g-5)	Rule	SPA
Pharmaceuticals monthly prescription limit	305 ILCS 5/5-5.12(j)	Rule	N/A
Pharmaceuticals medication therapy management	305 ILCS 5/5-5.12(k)	Rule	SPA
Pharmaceuticals hemophilia protocols/clotting factor reimbursement	305 ILCS 5/5-5.12(h-5)	Rule	N/A
Pharmaceuticals AIDS medications	305 ILCS 5/5-5.12(h-5)	Rule	N/A
Pharmaceuticals cancer - biological	305 ILCS 5/5-5.12(h-5)	Rule	N/A
Wheelchair repairs	305 ILCS 5/5-5f (c)	Rule	N/A
Co-pays	305 ILCS 5/5-4.1	Rule	SPA
Children receiving home services such as in the Medically Fragile/Technology Dependent (MFTD) Medicaid Waiver	305 ILCS 5/5-2b, 305 ILCS 5/5-2(7)	Rule	Waiver or SPA
Long term acute hospital (LTAC) rates and moratorium	210 ILCS 155/35, 210 ILCS 155/40	Rule	SPA
Excellence in Academic Medicine	30 ILCS 775, 30 ILCS 105/5.441, 30 ILCS 105/5.442, and 30 ILCS 105/5.549 - REPEALED	Rule	SPA

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Nursing Facility - nursing DD rate add-on	305 ILCS 5/5-5e	Rule	SPA
Institutional bed holds	305 ILCS 5/5-5e, 305 ILCS 5/5-5.4a REPEAL; 305 ILCS 5/5-5.4c REPEAL	Rule	SPA
Supportive Living Facility rates	305 ILCS 5/5-5e	Rule	TBD
Power wheelchair rates	305 ILCS 5/5-5f	N/A	SPA
Pharmaceuticals - 340 B	305 ILCS 5/5-5.12(l)	Rule	TBD
Sexual Assault Survivors Emergency Treatment Program rates	410 ILCS 70/7	Rule	N/A
Expand care coordination initiatives	305 ILCS 5/5-30	N/A	TBD
General medical provider rate reductions	305 ILCS 5/5-5e	Rule	SPA
Change to 180 days for providers to submit claims	305 ILCS 5/5-5	Rule	TBD
Hospital rate reform	305 ILCS 5/14-11	Rule	SPA
Extend hospital inpatient assessment and payments	305 ILCS 5/5A-1 et seq.	Rule	N/A
Program Integrity Enforcement - Inspector General	305 ILCS 5/12-13.1; 305 ILCS 5/5-5, 305 ILCS 5/11-13; 305 ILCS 5/11-26, 305 ILCS 5/12-4.25.	Rule	TBD
Staffing Ratios for specialized mental health rehabilitation facilities	210 ILCS 45/3-202.05	Rule (IDPH)	N/A
Stretcher Van Guidelines	210 ILCS 50/3.86	Rule (IDPH)	N/A
Electronic service verification, Home Services Program	305 ILCS 5/5-5f(g)	Rule TBD (IDHS), Rule (IDoA)	TBD
UPL	305 ILCS 5/5A-15	Rule	SPA
More frequent wage reporting through unemployment Insurance Act modifications	820 ILCS 405/1400.2 et seq.	Rule (IDES)	N/A